



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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APR 15 2005

DA 05-1096
April 15, 2005

**COMMENTS INVITED ON APPLICATION OF BELL ATLANTIC
COMMUNICATIONS, INC. (D/B/A VERIZON LONG DISTANCE) AND
VERIZON SELECT SERVICES INC. TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES**

WC Docket No. 05-173
Comp. Pol. File No. 705

Comments Due: April 29, 2005

Section 214 Application

Applicants: Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance); Verizon Select Services Inc.

On March 30, 2005, Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance) (Verizon LD) located at 1320 North Courthouse Road, Arlington, Virginia 22201 and Verizon Select Services Inc. (Verizon Select) located at 6665 North MacArthur Boulevard, Irving, Texas 75039 (collectively, Verizon or Applicants), filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic services to its customers located in the state of Hawaii.¹ On April 15, 2005, Verizon filed a letter clarifying certain issues raised in its application. Therefore the application will be deemed complete and filed as of April 15, 2005.

Verizon indicates that it provides several interstate interexchange services for customers in Hawaii as well as toll free services terminating in Hawaii. Specifically, Verizon states that the following services are provided by Verizon LD and/or Verizon Select: Dial 1 Products, Operator Services, Directory Assistance, Directory Assistance Call Completion, Toll Free Services, Audio Conferencing Services, Data Services (including private line, ATM, optical and Frame Relay services), Shared 800 Service and Pre-and Post-Paid Calling Card Services. According to Verizon, these services are subject to a noncompete clause included in their transfer of control agreement (agreement), as part of the transfer of control of capital stock of Verizon Hawaii Inc. and the assets of Verizon's affiliates in Hawaii to the

¹ In its application, Verizon mentions its plans to discontinue certain services that are also international in nature. Discontinuance of international service is governed by 47 C.F.R. § 63.19.

Carlyle Group.² Verizon states that pursuant to the noncompete agreement with the Carlyle Group, Verizon will not accept new customers for these services in Hawaii for two years, except as otherwise permitted under the agreement. Verizon asserts, however, that after the transfer date, existing customers will continue to receive most of these services from the Carlyle Group's long distance entity, Hawaiian Telecom Long Distance, in exactly the same manner and quality. Verizon identifies three services subject to the noncompete clause that the Carlyle Group's long distance entity will not continue to provide to existing Verizon customers, and for which it seeks discontinuance authority as of May 15, 2005: (1) Verizon LD post-paid calling card service for customers who are not presubscribed to Verizon LD for dial 1 services (prepaid card service); (2) Verizon LD "SmartTouch" prepaid dial 1 calling service (SmartTouch service); and (3) Verizon LD "Shared 800" service. Verizon states that it notified customers of the planned discontinuance of post-paid calling card service and SmartTouch services by letter on March 11, 2005. Verizon further states that it notified customers of the discontinuance of Shared 800 service by letter on March 30, 2005. Verizon indicates that it is considered non-dominant with respect to all of these services.

In accordance with section 63.71(c) of the Commission's rules, Verizon's application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies Verizon that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, Verizon may not terminate service until **May 16, 2005**. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **April 29, 2005**. Such comments should refer to **WC Docket No. 05-173 and Comp. Pol. File No. 705**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to ecfs@fcc.gov, and should include the following words in the subject line "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-

² See *Streamlined Domestic Section 214 Application Granted*, Public Notice, 19 FCC Rcd. 15,604 (2004); *Application of Verizon Hawaii Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance) and Verizon Select Services Inc., and Paradise Mergersub, Inc. For Consent to Transfer Control of Verizon Hawaii Inc. and Certain Assets and Long Distance Customer Relationships Related to Interstate Interexchange Telecommunications Service in the State of Hawaii*, Order on Reconsideration., 19 FCC Rcd. 24,110 (2004).

A325, Washington, D.C. 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicants. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or John Adams, (202) 418-0394 (voice), john.adams@fcc.gov of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

-FEDERAL COMMUNICATIONS COMMISSION-